

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

GUY FRANKLIN RANDALL,)
Petitioner,)
vs.) Case No. CIV-04-1437-F
RANDALL WORKMAN, Warden,)
Respondent.)

ORDER

This action seeks habeas relief under 28 U.S.C. § 2254. Petitioner appears *pro se*, and his pleadings are liberally construed.

Magistrate Judge Bana Roberts entered her Report and Recommendation in this matter on June 9, 2006. (Doc. no. 13.) In that Report, the magistrate judge recommended that the petition for writ of habeas corpus be denied. The Report advised petitioner of his right to file an objection to the Report by June 29, 2006. The Report further advised that failure to make timely objection to the Report waives the right to appellate review of both factual and legal issues contained in the Report. Petitioner has not objected to the Report and has not sought a request for an extension of time within which to object.¹

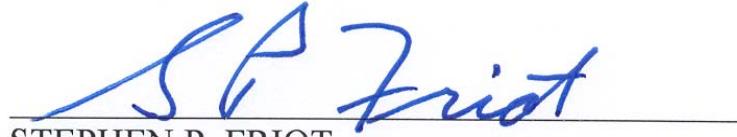
After review of the Report, the record, and the relevant authorities, and with there being no objection, the court finds and concludes that it concurs with the

¹The Report was mailed by the court to the petitioner at his last known address given to the court (Guy Franklin Randall #397826, LARC-LEXINGTON-260, Lexington Assessment and Reception Center, Box 260, Lexington, OK, 73051). The Report was returned as undeliverable. Papers sent by the court will be deemed delivered if sent to the last known address given to the court. LCvR5.5(a). Accordingly, the Report and Recommendation is hereby deemed to have been delivered to the petitioner.

magistrate judge's determinations and that no purpose would be served by repeating those determinations, or any analysis, here.

Accordingly, the Report and Recommendation of Magistrate Judge Bana Roberts is **ACCEPTED, ADOPTED, and AFFIRMED** in its entirety. For the reasons stated in the Report, the petition is **DENIED**.

Dated this 6th day of July, 2006.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

04-1437p002(pub).wpd